UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District Office
Three Rivers Resource Area
Vale District Office
Malheur/ Field Office
Finding of No Significant Impact
Buzzard Complex Fire
Emergency Stabilization and Burned Area Rehabilitation (ESR) Plans
Environmental Assessment (EA)
DOI-BLM-OR-B050-2014-0032-EA
DOI-BLM-OR-B050-2014-076-EA

INTRODUCTION

The Burns and Vale Districts of the Bureau of Land Management (BLM) are proposing to implement emergency stabilization and rehabilitation actions within the Buzzard Complex Fire perimeter in accordance with the Riley Field, Beaver Creek, and Saddle Draw Emergency Stabilization and Burned Area Rehabilitation (ESR) Plans. This Environmental Analysis (EA) of the Riley Field, Beaver Creek, and Saddle Draw Fires ESR Plans analyzes potential impacts of proposed stabilization and rehabilitation of the burned areas on the human environment. The fires burned at the same time and were managed as a single incident.

The Buzzard Complex was comprised of five lightning-caused fires (Bartlett, Lamb Ranch, Buzzard, Saddle Draw, Twin Reservoir and Beaver Creek) that started Sunday, July 13, 2014 and burned across both the Burns and Vale Districts. Total acreage burned in the Buzzard Complex was approximately 395,747 acres. A total of 118,514 acres (all ownerships) were burned on the Burns District with the remaining 277,233 acres (all ownerships) having burned on the Vale District.

The Burns District is responsible for three individual fires within the Buzzard Complex which total 70,163 BLM acres. The Bartlett Fire, which encompasses 3,843 BLM acres; the Beaver Creek Fire, which encompasses 8,291 BLM Acres; and the Riley Field Fire which encompasses 58,029 BLM Acres. On the Burns District, the fire burned through portions of 27 allotments, including 8 FFRs (Fenced Federal Range) and the Stinkingwater Herd Management Area (HMA). Additionally, the entire fire burned through either Preliminary Priority or General Sage-grouse Habitat. Emergency stabilization and rehabilitation treatments were developed to maintain or improve the condition of sage grouse-habitat.

The Vale District is responsible for the Saddle Draw fire which burned approximately 141,315 acres on Vale District Bureau of Land Management (BLM) lands, approximately 70,485 acres of privately owned land, and 58,193 acres of Oregon State lands. On the Vale District, the fire burned through portions of 6 allotments, which include 7 FFR pastures (Fenced Federal Range) and two custodial pastures as well as the Cold Springs HMA, one Wilderness Study Area (WSA), one Area of Critical Environmental Concern (ACEC)/Research Natural Area (RNA) and three areas where wilderness character (LWC) has been identified as a potential value on public lands.

Additionally, the entire fire burned through either Preliminary Priority or General Sage-Grouse Habitat. Emergency stabilization and rehabilitation treatments were developed to maintain or improve the condition of sage-grouse habitat. An Interdisciplinary Team (IDT) from the Vale District prepared the Saddle Draw Emergency Stabilization (ES) Plan.

To comply with the National Environmental Policy Act (NEPA), an IDT composed of members from both Burns and Vale Districts then prepared the Buzzard Complex Emergency Stabilization and Rehabilitation Plans Environmental Assessment (EA). The EA analyzes a proposed action that describes all of the stabilization and rehabilitation actions proposed within the Saddle Draw, Riley Field, and Beaver Creek burned areas. The Environmental Assessment and associated documents are available upon request to the BLM, Burns or Vale District offices.

SUMMARY OF THE PROPOSED ACTION

The Proposed Action is to implement the ESR plans for the Riley Field, Beaver Creek and Saddle Draw Fires and apply select herbicides to invasive annual grasses and noxious weeds within a project area encompassing the fire perimeter and areas leading to the fire perimeter.

Stabilization and rehabilitation treatments proposed under this project include: applying herbicides to noxious weeds and annual grasses; up to 122,000 acres both aerial and ground spraying; sagebrush seedling (plugs) planting on 6,000 acres; bitterbrush hand seeding on 2,514 acres; drill native/desirable non-native and desirable non-native seed mixes on 18,678 acres; aerial seed native, native/desirable non-native and desirable non-native seed mixes on 39,929 acres; livestock grazing closures on burned portions of pastures and allotments; construction of up to 40 miles of temporary protection fences; emergency gather of horses from the Cold Springs Herd Management Area (HMA); emplacement of erosion control structures; stabilization of known archaeological sites; and monitoring burned areas for noxious weeds and effectiveness of rehabilitation treatments.

Additionally, the repair and maintenance of range improvements, such as pasture and allotment fences, troughs and springs, would be performed in order to return the area to pre-fire conditions allowing for proper grazing management and reliable resources for wildlife and wild horses.

While burned areas are not grazed, fine fuels accumulate. The accumulation of these fuels puts the area at risk for another high-intensity wildfire. In addition, grasses often show increased production following wildfire due to the reduced competition and nutrient cycling that occurs from fire events. As noted in 43 CFR 4190.1: Effect of wildfire management decision (a) Notwithstanding the provisions of 43 CFR 4.21(a) (1), when BLM determines that vegetation, soil or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire, BLM may make a rangeland wildfire management decision effective immediately. Wildfire management includes but is not limited to: (1) Fuel reduction or fuel treatment such as prescribed burns and mechanical, chemical, and biological thinning methods (with or without removal of thinned materials); and, (2) Projects to stabilize and rehabilitate lands affected by wildfire. Under these regulations, implementation of projects to stabilize and rehabilitate lands such as seeding (aerial and drilling), planting, weed treatments (aerial and ground), erosion

control, road maintenance and protection, fence maintenance and reconstruction, and range improvement reconstruction will be effective upon the date of the authorized officer's signature.

Under these regulations, use by livestock would be allowed to occur within the affected allotments in order to remove fine fuels and reduce the risk of wildfire. Biological thinning would be allowed using a cooperative agreement, outlining the terms and conditions mentioned in this document, as well as any other terms and conditions that may be needed depending on the specific site. The specific area where biological thinning is to occur would be identified on a map and included in cooperative agreements. Supplements and water would be allowed to be placed in these areas to help manage the movement of livestock while meeting their nutrient requirements. Any use occurring outside of the treatment area may be subject to trespass actions. If trespass actions are carried out, that operator would no longer be authorized to participate in biological thinning treatments. If at any point the cooperative agreement is violated, biological thinning would immediately cease and that operator would no longer be authorized to participate in biological thinning treatments. Biological thinning permitting would occur under 43 CFR 4130.5(b) (1) which allows the authorized officer to authorize free use when the primary objective is "the management of vegetation to meet resource objectives…"

FINDING OF NO SIGNIFICANT IMPACT

Consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27), both with regard to context and intensity of impacts, is described below:

Context

The Proposed Action would occur in the Three Rivers and Malheur/Jordan Resource Areas and would have local impacts on affected interests, lands, and resources similar to and within the scope of those described and considered in the 1992 Three Rivers Proposed Resource Management Plan (RMP)/Final Environmental Impact Statement (FEIS), the 2002 Southeastern Oregon RMP/FEIS, and the 2010 Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS. There would be no substantial broad societal or regional impacts not previously considered in these planning documents.

Intensity

The CEQ's ten considerations for evaluating intensity (severity of effect):

1. *Impacts that may be both beneficial and adverse.* The EA considered potential beneficial and adverse effects. Project Design Features were incorporated to reduce or eliminate impacts. None of the effects are beyond the range of effects analyzed in the planning documents cited above.

   Grazing Management: Seeded and naturally recovering areas would recover to desired perennial vegetation, subsequently maintaining or improving available forage for livestock and wildlife. Livestock would be removed until vegetative objectives have been met.

Migratory Birds: Potential noise and visual disturbance associated with aerial seeding or aerial application of herbicides may cause temporary displacement or alter the activity level or behavior of some birds. However, treatments would occur at a time of year when most birds have migrated out of the area, and birds that remain are highly mobile and able to leave the immediate area. Disturbance effects would primarily be limited to the treated areas, where planes or helicopters would be flying closest to the ground. Disturbance effects from aerial seeding and spraying would be negligible on migratory bird populations due to the brief (few hours) amount of time required to spread the seed or apply the herbicide. Most migratory birds would return to the area or resume activity once seeding or spraying is complete.

Noxious Weeds: Establishing desirable vegetation would enhance the burned area's resistance to noxious weeds. Effective use of the clean equipment Project Design Element would minimize the potential for project introduction of additional noxious and invasive weeds. A weed resistant, desirable plant community would contribute towards soil stability and upland community functionality. Where herbicide treatments are necessary, using these new products, either alone or in combination with currently available products, would provide the best tools available to ensure effective, timely management of the noxious weeds in this area. By controlling the noxious weeds, the potential for success of rehabilitation of the project area following the disturbances from the Riley Field, Beaver Creek and Saddle Draw wildfires would be enhanced.

Recreation: The only effects would be under wildlife opportunities for hunting and viewing under the "No Action Alternative", see the wildlife section for effects. Other alternatives would not result in any permanent affects to recreation or visual resources.

Special Status Species: Sage-grouse: Noise and visual disturbance associated with aerial seeding or aerial application of herbicides may cause temporary displacement or alter the activity level or behavior of some birds. Potential disturbance effects of aerial seeding would be negligible on sage-grouse individuals and populations due to the relatively brief (few hours) amount of time required to carry out treatments. Potential disturbance effects of drill seeding would be negligible due to the intensity of the fire removing useable habitat; sage-grouse would likely not be in the area during the seeding activities.

Application of the proposed herbicides using Standard Operating Procedures (Appendix B) would not only improve the success of the seeding effort, it would help protect native plants that survived the fire. These native plants, especially sagebrush, provide a valuable seed source adapted to the local environment, which further reduces the time needed for the native plant community to recover (Leger 2008). The seedling planting would jumpstart the recovery of sagebrush because it typically has a higher survival rate than seeded sagebrush and decreases the period required to achieve reproductive maturity, resulting in less time needed for sagebrush to reach sufficient cover percentages to begin to provide usable habitat. Implementation of this alternative would result in maintenance or improvement of more acres of sage-grouse habitat compared to the No Action Alternative by accelerating the recovery of sagebrush and perennial bunch grasses and preventing the expansion of invasive annual grasses.

Application of the proposed herbicides, including the aerial application of Imazapic for invasive annual grass control, would not only improve the success of the seeding effort, it would help protect desirable vegetation that survived the fire. This vegetation, especially big sagebrush, provides a valuable seed source adapted to the local environment, which further reduces the time needed for the desirable plant community to recover (Leger 2008). The seedling planting would jumpstart the recovery of sagebrush because it typically has a higher survival rate than seeded sagebrush and decreases the period required to achieve reproductive maturity, resulting in less time needed for sagebrush to reach sufficient cover percentages to begin to provide usable habitat. Implementation of this alternative would result in maintenance or improvement of more acres of sage-grouse habitat compared to the No Action Alternative. This would result in a quicker return to pre-fire conditions, providing nesting, brood-rearing, and winter habitat for sage-grouse, as well as providing connectivity to areas outside of the fire.

Fences create a collision hazard to sage-grouse; marking fences as proposed with reflective warning devices is expected to alleviate 83 percent of the potential for this to occur (Stevens et. all, 2010). The nearest lek (Antelope Well) is 3.5 miles north of the proposed fence area, well outside of the 1.25-mile area. The proposed temporary fences would not hinder sage-grouse connectivity in any measurable way, provided it is marked correctly.

Special Status Species – Plants: There would be no detrimental effect on Special Status plants from implementation of the Saddle Draw Emergency Stabilization and Rehabilitation Plan. Known special status species sites that are susceptible to damage from seeding or herbicides would be avoided during project implementation. Treatments included in the proposed action may benefit numerous species of Special Status plants.

Upland Vegetation: This project was designed to establish a ground cover of desired perennial vegetation in those plant communities unlikely to recover naturally within the fire perimeter. Successful seeding of the Proposed Action would further decrease the potential transition to an annual grass dominated community, introduce a longer green period through the growing season, and provide more habitat values than an exotic annual grass community. In comparison to an annual invasive grass dominated community, establishment of native and desirable non-native plant species would set the stage to a faster successional trajectory towards a native plant community.

Treating noxious weeds with additional herbicides would benefit upland vegetation by allowing the most effective chemical weed treatments in areas of vegetative disturbance. Treating noxious weeds in these areas would promote and maintain the abundance of native and desired introduced vegetation. These herbicides have been shown to selectively treat cheatgrass and medusahead rye leaving desirable perennial vegetation unharmed (Davies and Sheley, 2011).

Research Natural Area/Area of Critical Environmental Concern: The Stockade Mountain Research Natural Area (RNA) falls within the Saddle Draw fire perimeter. No treatments are proposed within the boundaries of the RNA. Establishing desirable vegetation outside the RNA may decrease impacts caused by use from wildlife and livestock

(removed until objectives are met) as would the repair of existing fence lines. Controlling noxious weeds and invasive annual grass species in the area may protect the values of the RNA indirectly.

Wilderness Study Areas (WSA): The Saddle Draw Fire burned through a portion of the Cedar Mountain WSA on the eastern perimeter of the fire. No treatments are proposed within the boundaries of the WSA. Establishing desirable vegetation outside the WSA may decrease impacts caused by use from wildlife and livestock (removed until objectives are met) as would the repair of existing fencelines. Controlling noxious weeds and invasive annual grass species in the area may enhance wilderness character of the WSA indirectly.

Cultural Resources/American Indian Traditional Practices: There would be no detrimental effect on cultural resources provided that the established project design elements are observed.

Stabilization of cultural resources known prior to the fire would enhance the long-term stability of prehistoric and historic era archaeological properties.

No specific places within the Saddle Draw fire perimeter are known to be used by American Indian Tribes for traditional uses or religious practices; however, areas (not specified) in the upper elevations of the Riley Field fire have been used for root gathering. The Burns Paiute Tribe was consulted regarding the proposed action and the only concern was the use of Imazapic treatments in the traditional use (root gathering) areas. Aerial application of Imazapic is not prosed for these areas. Consultation with the Burns Paiute Tribe on the aerial application of Imazapic for annual grass control will continue and implementation will be adjusted if specific concerns are identified.

In the long term, implementation of the proposed action may increase the distribution and density of riparian vegetation stands that are important for the practice of Burns Paiute tribal traditions.

Wildlife: Potential noise and visual disturbance associated with ground seeding, aerial seeding or aerial application of herbicides may cause temporary displacement of some larger wildlife species or alter the activity level or behavior of animals in the area. Effects would primarily be limited to the treated areas, where tractors and drills would be in use, or planes or helicopters would be flying closest to the ground. Overall, disturbance effects from aerial seeding and spraying would be negligible on wildlife populations due to amount of time required to spread the seed or apply the herbicide, 6 to 8 hours a day for up to 45 days during the late fall/early winter. Most of the affected animals would return to the area or resume activity once seeding or spraying is complete.

Livestock Grazing:

Allotments in the Riley Field and Beaver Creek burned areas managed by the Burns District would be rested from grazing in areas where treatments are proposed until

objectives are met. Certain un-treated allotments or pastures may continue to provide livestock grazing if resource objectives under the Three Rivers RMP are met.

BLM allotments managed by the Vale District in the burned would be rested from grazing. The SEORMP resource objectives post-fire "…will be rested from grazing for one full year and through a second growing season at a minimum, or until monitoring data or professional judgment indicate that health and vigor of desired vegetation has recovered to levels adequate to support and protect upland vegetation" (SEORMP/ROD, p.40).

In the long term, the quantity and quality of forage would improve within the pastures treated with emergency stabilization treatments.

Soils and Biological Crusts: Under the proposed action, soil stability would increase with the implementation of emergency stabilization and rehabilitation treatments. Seedings and weed treatments would promote the establishment of desirable vegetation and protect unburned native species that stabilize soils.

Riparian, Wetlands, and Fisheries: Under the proposed action, emplacement of erosion control structures when needed would prevent degradation of streams and fisheries. Soil stabilization would increase water quality and improve fish habitat.

Social and Economic Values: Under the proposed action, a minor economic benefit would be realized by local communities within Malheur and Harney counties during implementation of the ESR plans. In the long-term, improvements to wildlife habitat and rangelands would also benefit local economies.

2. *Degree to which the Proposed Action affects public health and safety*. No aspect of the Proposed Action or alternatives would have an effect on public health and safety beyond those analyzed in the 2010 Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS (page 100-101, 348-350, 353).

3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.* The Riley Field and Beaver Creek fires burned through portions of Native American Traditional Use Areas (primarily for root gathering), most of which are located in the upper elevations within the fire perimeter. Disturbance effects from aerial seeding would be unmeasurable on native vegetation used for root gathering. It is expected that many economically important root species would survive the wildfire because they were dormant during the wildfire activity. Aerial applications of herbicides would be limited to roadside buffers where infestations of noxious and invasive weed species, specifically invasive annual grasses, would have the greatest potential of establishing and spreading to root gathering areas. Tribal users would be notified of the location of spray areas prior to the root gathering season (April).

The Saddle Draw fire burned inside the Cedar Mountain WSA and the Stockade Mountain RNA was affected. Please see information above under "*Impacts that may be both beneficial and adverse"* regarding effects to WSAs and RNA. No other unique geographic characteristics are known to exist within the Project Area.

4. *The degree to which effects on the quality of the human environment are likely to be highly controversial.* Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the Proposed Action or preference among the alternative. No unique or appreciable scientific controversy has been identified regarding the effects of the Proposed Action or alternatives beyond those analyzed in the 2010 Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS.

5. *Degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks.* The analysis has not shown there would be any unique or unknown risks to the human environment nor were any identified in the 1992 Three Rivers or 2002 Southeastern Oregon Proposed RMP (SEORMP)/FEIS. The Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS analyzed the use effects of the proposed chemicals and associated risks.

6. *Degree to which the action may establish a precedent for future actions with significant impacts or represents a decision in principle about a future consideration.* This project neither establishes a precedent nor represents a decision in principle about future actions. The BLM implements emergency stabilization and rehabilitation on BLM-administered lands on a regular and continuous basis following wildfire. Implementation is based on fire size, location, and threats to natural resources and public health and safety. No long-term commitment of resources causing significant impacts was noted in the EA or FEISs.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* The environmental analysis did not reveal any cumulative effects beyond those analyzed in afore mentioned environmental documents. The EA described the current state of the environment (Affected Environment by Resource, Chapter III) which included the effects of past actions, and included analysis of reasonably foreseeable future actions identified in the project area.

8. *Degree to which the action may adversely affect districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places.* The Proposed Action will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places. Based on previous and ongoing cultural surveys and through project design, no adverse impacts to cultural resources were identified or anticipated.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat.* There are no known threatened or endangered species or their habitat affected by the Proposed Action or alternatives. Greater Sage-grouse have been listed as warranted but precluded from listing by the United States Fish and Wildlife Service.

Effects to sage-grouse and their habitat are described above under "*Impacts that may· be both beneficial and adverse*".

10. *Whether an action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* The Proposed Action does not threaten to violate any law. The Proposed Action is in compliance with the Three Rivers RMP and SEORMP)/Record of Decision (ROD), which provides direction for the protection of the environment on public lands.

On the basis of the information contained in the EA and all other information available to me, it is my determination that:

1. The implementation of the Proposed Action or alternatives will not have significant environmental impacts beyond those already addressed in the Three Rivers PRMP/FEIS (1992), the Southeastern Oregon PRMP/FEIS (2002) and the Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS (2010);

2. The Proposed Action and alternatives are in conformance with the Three Rivers RMP/ROD (1992), the Southeastern Oregon RMP/ROD (2002) and the Vegetation Treatments Using Herbicides on BLM Lands in Oregon ROD (2010);

3. There would be no adverse societal or regional impacts and no adverse impacts to affected interests; and

4. The environmental effects, together with the proposed Project Design Features, against the tests of significance found at 40 CFR 1508.27 do not constitute a major Federal action having a significant effect on the human environment.

Richard Roy
Three Rivers Resource Area Field Manager

10-6-14
Date

Thomas Patrick "Pat" Ryan
Jordan/Malheur Resource Area Field Manager

10/6/2014
Date